

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY MALLOY,

Plaintiff,

-against-

BARRY, *Correctional Officer*; JOHN DOE(S),
Correctional Officer(s),

Defendants.

19-CV-7906 (CM)

ORDER

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff filed this action *pro se*. On October 7, 2019, the Court dismissed the complaint without prejudice under the Prison Litigation Reform Act's "three-strikes" rule. *See* 28 U.S.C. § 1915(g). On October 8, 2019, the Court received two documents from Plaintiff: (1) a letter requesting that the Court send him "Notice of Motion Instructions to service upon the Court and Defendant(s)," ECF No. 9, and (2) an application for the court to request *pro bono* counsel, ECF No. 10.

Because the Court dismissed Plaintiff's complaint and the action is closed, his requests are denied as moot.

CONCLUSION

Accordingly, Plaintiff's requests (ECF Nos. 9, 10) are denied as moot.

The Clerk of Court is directed to mail a copy of this order to Plaintiff, and note service on the docket.

Plaintiff's case in this Court under ECF 1:19-CV-7906, 2 is closed.

Plaintiff remains barred from filing any future federal civil action *in forma pauperis* while in custody, unless he is under imminent threat of serious physical injury. *See* 28 U.S.C. § 1915(g).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to docket this as a “written opinion” within the meaning of Section 205(a)(5) of the E-Government Act of 2002.

SO ORDERED.

Dated: October 9, 2019
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON
Chief United States District Judge